

LC 14.2/2: 84-784 E

IP 186D (G0)

84-784 E



Congressional Research Service

The Library of Congress GOVERNMENT DOCUMENTS
COLLECTION

Washington, D.C. 20540

NORTHERN KENTUCKY UNIVERSITY
LIBRARY

NATIONAL MINIMUM DRINKING AGE: PROVISIONS AND ANALYSIS

William A. Lipford
Analyst in Transportation
Economics Division
October 29, 1984

ABSTRACT

The National Minimum Drinking Age (NMDA) law requires that States not in compliance with the 21-minimum-age-law by fiscal year 1987 face a loss of a portion of their Federal-aid highway funds. The report discusses the provisions and sanction effects.

CONTENTS

ABSTRACT	ii
I. LEGISLATIVE BACKGROUND	1
II. PROVISIONS IN THE NMDA LAW	1
III. STATE STATUS UNDER THE NMDA LAW	2
IV. SANCTION EFFECT ON THE STATES	2

NATIONAL MINIMUM DRINKING AGE: PROVISIONS AND ANALYSIS

I. LEGISLATIVE BACKGROUND

The minimum drinking age provision was originally included in the House-passed (June 1983) highway-transit legislation, and included in the Senate highway bill. However, due to the delay in Senate action of its highway bill, and to other controversial provisions within both House and Senate bills, the drinking age provision was deleted from both of these bills and included as an amendment to the highway safety authorization legislation. On July 17, 1984, the National Minimum Drinking Age (NMDA) was signed into law (P.L. 98-363).

II. PROVISIONS IN THE NMDA LAW

The NMDA law requires all States to have a 21-year-old minimum drinking age for the "purchase or possession of alcoholic beverages," or lose a portion of their Federal-aid highway construction funds. The sanction excludes highway safety funds. States failing to pass the minimum age requirement for alcoholic beverages, including beer and wine by fiscal year 1987, would lose 5 percent of their Federal-aid highway construction funds. The loss of highway construction funds would increase to 10 percent for FY 1988. States without a minimum 21-age law for alcoholic beverages have a two-year grace period, from October 1, 1984 to September 30, 1986 (fiscal years 1985 and 1986), to enact legislation. Subsequent to FY 1986, sanctioned funds will be returned (no time limit) if a State complies by passing the minimum age provision. The withholding of funds for non-compliance ends on September 30, 1988.

III. STATE STATUS UNDER THE NMDA LAW

Currently, 27 States and the District of Columbia are not in compliance with the law. This includes nine States that have a 21-age requirement for alcohol (hard liquor), but a lower age for beer and wine. The remaining 23 States are in compliance with the minimum age law for alcoholic beverages. (See table 1, p. 3.)

IV. SANCTION EFFECT ON THE STATES

The loss to States failing to pass the 21-age requirement varies considerably. (See table 2, p. 4.) Texas could lose about \$100 million of its highway construction funding for Fiscal Years 1987 and 1988. New York would be next with over \$90 million, Florida with nearly \$73 million, Ohio and Georgia with over \$50 million each. The District of Columbia, New Hampshire, and Vermont stand to lose the least: nearly \$8 million each. However, in proportion to total Federal-aid highway construction funds each State receives, and to individual State needs and to other variables, the possible loss of funding could be as severe for a State losing \$8 million, as for one losing \$100 million.

There are several opinions on the sanctions ending after FY 1988. Congressional sponsors believe that this is enough time for non-conforming States to enact legislation. Others feel that the FY 1988 cut-off date is too short to be completely effective. It could also be argued that if all States are not in conformity with the law by the end of FY 1988, Congress could extend the sanction period through further legislative action. Opponents oppose the law because they believe that it infringes on States' rights by forcing them to pass legislation to avoid loss of Federal-aid highway funds.

It remains to be seen whether the FY 1988 cut-off date for sanctions will have a positive effect on all States in passing a 21-minimum-drinking-age law.

TABLE 1. The Current Minimum Drinking Age Laws in the 50 States
and the District of Columbia**

State	Drinking Age*	State	Drinking Age*
Alabama	19	Missouri	21
Alaska	21	Montana	19
Arizona	21	Nebraska	21
Arkansas	21	Nevada	21
California	21	New Hampshire	20
Colorado	18/21	New Jersey	21
Connecticut	20	New Mexico	21
Delaware	21	New York	19
District of Columbia	18/21	North Carolina	19/21
Florida	19	North Dakota	21
Georgia	19	Ohio	19/21
Hawaii	18	Oklahoma	21
Idaho	19	Oregon	21
Illinois	21	Pennsylvania	21
Indiana	21	Rhode Island	21
Iowa	19	South Carolina	18/21
Kansas	18/21	South Dakota	19/21
Kentucky	21	Tennessee	21
Louisiana	18	Texas	19
Maine	20	Utah	21
Maryland	21	Vermont	18
Massachusetts	20	Virginia	19/21
Michigan	21	Washington	21
Minnesota	19	West Virginia	19
Mississippi	18/21	Wisconsin	19
		Wyoming	19

* In States with a two-tier drinking age, the lower age is for beer and wine and the higher for hard liquor.

** The States of Alaska, Arizona and Montana have recently changed their minimum drinking age to 21. These laws become effective on January 1, 1985.

Source: Highway Users Federation, Washington, D.C.

TABLE 2. Estimated Sanctioned Federal-Aid Highway Construction Funds of States
Not in Compliance with the Minimum Age Law
(\$ millions)

State	Fiscal Year 1987	Fiscal Year 1988	Total for Fiscal Years 1978 and 1988
Alabama	\$11.8	\$23.6	\$35.4
Colorado	9.1	18.3	27.4
Connecticut	7.5	15.1	22.6
District of Columbia	2.4	4.9	7.3
Florida	24.2	48.5	72.7
Georgia	17.1	34.3	51.4
Hawaii	5.8	11.6	17.4
Idaho	4.3	8.7	13.0
Iowa	6.1	12.2	18.3
Kansas	5.5	11.0	16.5
Louisiana	14.3	28.7	43.0
Maine	2.9	5.8	8.7
Massachusetts	9.8	19.7	29.5
Minnesota	10.5	21.1	31.6
Mississippi	5.4	10.8	16.2
Montana	5.5	11.1	16.6
New Hampshire	2.6	5.2	7.8
New York	30.1	60.2	90.3
North Carolina	9.9	19.9	29.8
Ohio	17.8	35.7	53.5
South Carolina	7.6	15.2	22.8
South Dakota	4.1	8.3	12.4
Texas	33.2	66.4	99.6
Vermont	2.6	5.3	7.9
Virginia	15.5	31.1	46.6
West Virginia	6.6	12.3	18.9
Wisconsin	7.2	14.5	21.7
Wyoming	4.5	9.0	13.5
Totals	\$283.9	\$568.5	\$852.4

Source: National Highway Traffic and Safety Administration.